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LIN TELEVISION CORPORATION

Gary R. Chapman
President and CEO

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OCT 27 1994

POLICY & RULES DIVISION

Via Facsimile and Federal Express

October 10, 1994

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OCT 31 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Hon. Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, N.W., Room 814
Washington, D. C. 20554

Dear Chairman Hundt:

On behalf of LIN Television Corporation, licensee of television stations affiliated with the ABC, NBC and CBS networks, I write to urge you to move promptly to issue a notice of proposed rulemaking -- rather than a notice of inquiry -- proposing to repeal the "off-network" provision of the prime time access rule, 47 C.F.R. § 73.658(k) (1993).

The off-network provision is anachronistic and counterproductive. It simply makes no sense for the competing Fox affiliates in our markets to be able to run off-network programming from the other three networks in prime time when the affiliates of those networks cannot do so. It is equally arbitrary to have our direct competitors at the Fox Network be able to sell for use in the access period highly successful off-Fox shows such as the Simpsons and Married With Children when the other networks are prohibited from making comparable sales. By artificially reducing the backend return on ABC, NBC and CBS programming, the rule clearly reduces the investment in, and quality of, the programming on the three major networks.

This modest change has been the subject of extensive inquiry and comment, with a complete round of comments dealing with the state of the industry filed just over three months ago. There is no conceivable reason why the Commission cannot and should not proceed directly to rulemaking. I urge you in the strongest possible terms to reject calls for further delay.

Sincerely yours,



Gary R. Chapman
President and CEO

GRC/kgj

100-925

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

September 30, 1994

KREM TV2

4103 South Regal Street
Post Office Box 8037
Spokane, Washington 99203-0037
(509) 448-2000
FAX (509) 448-6220
A Division of King Broadcasting Company

The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street NW, Room 814
Washington, D.C. 20554

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Barry Barth
President and
General Manager

OCT 27 1994

POLICY & RULES DIVISION

Dear Chairman Hundt:

I am writing to urge the Commission to proceed quickly with the Notice of Proposed Rulemaking directed at the elimination of the "off network" restriction of the Prime Time Access Rule.

I manage the Providence Journal Company owned, CBS affiliate, KREM-TV, in Spokane, Washington. Within our group we have stations of varying sizes...from Seattle to Boise...and different network affiliations, but the one thing we all have as a common need is the flexibility of our program acquisitions. In today's competitive marketplace, there is no need for this current barrier. It impedes, rather than fosters competition and artificially inflates what affiliates must pay for programming by creating a subsidy for large producers and major market independent stations.

The pleadings which you have already received fully address the issue. A Notice of Inquiry is not necessary and will only delay this needed reform. Let's get on with the important issues affecting the telecommunications industry.

Thank you for your consideration.

Regards,

Barry Barth

Via facsimile and U.S. Mail
cc: Commissioner James H. Quello
Commissioner Andrew C. Barrett
Commissioner Susan Ness
Commissioner Rachelle B. Chong
Office of the Secretary



**KGW TV8**1501 S.W. Jefferson Street
Portland, Oregon 97201
503/226-5000

A Division of King Broadcasting Company

September 30, 1994

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The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, NW, Room 814
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Chairman Hundt:

I am writing to urge the Commission to proceed expeditiously with a Notice of Proposed Rulemaking directed toward elimination of the "off-network" restriction of the Prime Time Access Rule.

As the President and General Manager of KGW-TV, an NBC affiliate in Portland, Oregon, I support repeal of the "off-network" restriction. Due to this restriction, I am forced to pay excessive license fees for programming that, for the most part, neither I, nor our viewers, want on my station. At the same time, the independent station and the FOX affiliated station are able to obtain higher quality, proven programming at a lessor cost. With the current diversity of programming options for viewers, why is my station not allowed to compete fairly in an open marketplace?

The Commission has received numerous pleadings which fully address this issue. To delay this necessary reform by issuing a Notice of Inquiry will only prolong my station's disadvantage in the marketplace. I urge the Commission to proceed with a Notice of Proposed Rulemaking and act to eliminate this outdated restriction. Thank you for your consideration of my views.

Very Truly Yours,

Dennis A. Williamson
President & General Manager

Via Facsimile and U.S. Mail

cc: Commissioner James H. Quello
Commissioner Andrew C. Barrett
Commissioner Susan Ness
Commissioner Rachelle B. Chong
Office of the Secretary

SEP-30-94 FRI 14:07

KGW ADMINISTRATION

FAX NO. 5032265120

P. 01

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KGW-TV

FAX COVER SHEET

FROM: Dennis Williamson

TO: The Honorable Reed E. Hundt

KGW-TV

ATTENTION: _____

1501 S.W. JEFFERSON

FAX NUMBER: (202) 632-0163

PORTLAND, OR 97201-2566

503/226-5000 EXT: _____

NUMBER OF PAGES TO FOLLOW: 1

FAX NUMBER: 503/226-5120

MESSAGE: _____



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Consumer Federation of America

September 30, 1994

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OCT 27 1994

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

POLICY & RULES DIVISION

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OCT 31 1994

Dear Chairman Hundt:

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

As the Commission contemplates taking action on the Prime Time Access Rule (PTAR) at the October meeting, Consumer Federation of America writes to urge you to move cautiously on this issue.

Recent reports have indicated that the Commission is considering releasing a Notice of Proposed Rulemaking (NPRM) on the PTAR at the October meeting. While we take no position on the substantive issue at this time, we do believe an NPRM is inappropriate at this stage. Rather, it is important that the Commission build a complete record on this issue through a Notice of Inquiry before releasing an NPRM.

The broadcasting industry is in the midst of some fundamental changes in light of the elimination of the Financial Interest and Syndication Rules (FinSyn), the attempts at creating new networks, significant realignment of network affiliates and the emergence of first run syndicated programming. In light of these changes and as the rules surrounding who is eligible to own and produce network programming change, the past policy justifications and the future role of PTAR should be fully and publicly examined by the Commission. We do not believe this kind of review can be done in the context of a rulemaking proceeding.

We are aware of the petitions on this issue now pending before the Commission (MMB File No. 920117A; 870622A; 900418A). These proceedings represent specific attacks on the rule and the comments focus on the specific issues raised, not the underlying policy rationale for continuation, modification or elimination of the PTAR. Before making the preliminary policy decisions necessary to release an NPRM, we believe the Commission and the public interest would best be served by building a complete record.

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CFA urges the Commission to move forward with an NOI on this issue in October to build a complete record. After that record has been compiled, the Commission should then issue its NPRM and commence a rulemaking proceeding. The Commission should not attempt to guess whether the PTAR remains a useful policy. Moving ahead on this issue with an incomplete record would be the equivalent of doing just that.

Very truly yours,



Bradley Stiffman
Legislative Counsel

cc: Commissioner Quello
Commissioner Barrett
Commissioner Ness
Commissioner Chong

The Providence Journal Company
75 Fountain Street, Providence, RI 02902-3301
(401) 277-7000

FAXED
9/30/94

942288

September 30, 1994

cc: MS

MICHAEL B. ISAACS
VICE PRESIDENT OF GOVERNMENT
AFFAIRS AND PUBLIC POLICY
BROADCASTING AND CABLE TELEVISION

Tel.: (401) 277-7538
Fax.: (401) 277-7733

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OCT 31 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, NW, Room 814
Washington, DC 20554

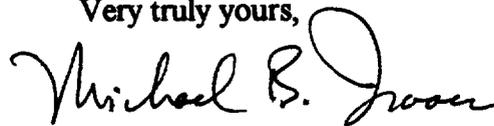
Dear Chairman Hundt:

I am writing to urge the Commission to proceed expeditiously with a Notice of Proposed Rulemaking directed at elimination of the "off-network" restriction of the Prime Time Access Rule.

Providence Journal Company is the owner of nine television stations which are variously affiliated with NBC, ABC, CBS and Fox. As a television station group owner, we support repeal of the "off-network" restriction. In today's video marketplace, this restriction is anachronistic. It impedes rather than fosters competition and, thus, diversity. The prohibition artificially inflates the prices affiliated stations are forced to pay for programming and creates a subsidy for large producers and major-market independent stations.

The Commission has received numerous pleadings which fully address this issue. A Notice of Inquiry is not necessary and will only delay the implementation of this modest, needed reform. Given the rapid pace of change in the television marketplace, I hope that you will proceed with a Notice of Proposed Rulemaking and that the Commission will act to eliminate this outdated restriction. Thank you for your consideration of our views.

Very truly yours,



Michael B. Isaacs

MBI:pal

Via facsimile and U.S. Mail

cc: Commissioner James H. Quello
Commissioner Andrew C. Barrett
Commissioner Susan Ness
Commissioner Rachelle B. Chong
Office of the Secretary

MM File No. 870622A, 900418A, 920117A

Providence Journal  **Company Facsimile**

75 Fountain Street, Providence, RI 02902

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OCT 3 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

	<u>Name</u>	<u>Company</u>
To:	The Honorable Reed E. Hundt, Chairman	FCC, Room 814
From:	Michael B. Isaacs	
Date • Time:	September 30, 1994 • 3:21 PM	
No. of Pages, Including Cover:	2	

Message:

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Patricia Langford
Phone (401) 277-7738 • Fax (401) 277-7733

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The Providence Journal Company
75 Fountain Street, Providence, RI 02902 - (401) 277-7000

September 30, 1994

MICHAEL B. ISAACS
VICE PRESIDENT OF GOVERNMENT
AFFAIRS AND PUBLIC POLICY
BROADCASTING AND CABLE TELEVISION
Tel.: (401) 277-7538
Fax.: (401) 277-7793

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

POLICY & RULES DIVISION

The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, NW, Room 814
Washington, DC 20554

Dear Chairman Hundt:

I am writing to urge the Commission to proceed expeditiously with a Notice of Proposed Rulemaking directed at elimination of the "off-network" restriction of the Prime Time Access Rule.

Providence Journal Company is the owner of nine television stations which are variously affiliated with NBC, ABC, CBS and Fox. As a television station group owner, we support repeal of the "off-network" restriction. In today's video marketplace, this restriction is anachronistic. It impedes rather than fosters competition and, thus, diversity. The prohibition artificially inflates the prices affiliated stations are forced to pay for programming and creates a subsidy for large producers and major-market independent stations.

The Commission has received numerous pleadings which fully address this issue. A Notice of Inquiry is not necessary and will only delay the implementation of this modest, needed reform. Given the rapid pace of change in the television marketplace, I hope that you will proceed with a Notice of Proposed Rulemaking and that the Commission will act to eliminate this outdated restriction. Thank you for your consideration of our views.

Very truly yours,

Michael B. Isaacs

MBI:pal

Via facsimile and U.S. Mail

- cc: Commissioner James H. Quello
- Commissioner Andrew C. Barrett
- Commissioner Susan Ness
- Commissioner Rachelle B. Chong
- Office of the Secretary

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OCT 3 1 1994



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

520 West Chestnut Street, Louisville, Kentucky 40202
FAX: (502) 582-7279

FAX FORM

DATE: October 3, 1994

TO: The Honorable Reed E. Hundt, Chairman

COMPANY: Federal Communications Commission

FROM: Joseph A. Goleniowski

NUMBER OF PAGES (INCLUDING COVER): 2

COMMENTS/INSTRUCTIONS:



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January 4, 1994

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The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, NW, Room 814
Washington, DC 20554

POLICY & RULES DIVISION

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OCT 31 1994

Dear Chairman Hundt:

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

I am writing to urge the Commission to proceed expeditiously with a Notice of Proposed Rulemaking directed at elimination of the "off network" restriction of the Prime Time Access Rule.

As an ABC Network affiliate, we support repeal of the "off-network" restriction. In today's video marketplace, this restriction is anachronistic. It impedes rather than fosters competition and, thus diversity. The prohibition artificially inflates the prices affiliated stations are forced to pay for programming and creates a subsidy for large producers and major-market independent station.

Then Commission has received numerous pleadings which fully address this issue. A Notice of Inquiry is not necessary and will only delay the implementation of this modest, need reform. Given the rapid pace of change in the Commission will act to eliminate this outdated restriction. Thank you for your consideration of our views.

Sincerely,

Joseph A. Goleniowski
President & General Manager

JAG/dlt

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KING 5 TV
333 Dexter Avenue, N.
Seattle, Washington 98109
telephone: 206-448-3926
fax: 206-448-3936

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OCT 27 1994

POLICY & RULES DIVISION

TO: The Honorable Reed E. Hundt
FROM: Tony Twibell
DATE: 10/4/94
SUBJ: NOTICE OF PROPOSED RULEMAKING

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OFFICE OF THE SECRETARY

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KING 5 TV

333 Dexter Avenue North
P.O. Box 24525
Seattle, Washington 98124
206/448-3925

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

October 3, 1994

VIA FACSIMILE AND U.S. MAIL

Tony Twibell
President and
General Manager

The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, NW, Room 814
Washington, D.C. 20554

Dear Chairman Hundt:

I'm writing to encourage the Commission to proceed as quickly as possible with a Notice of Proposed Rulemaking regarding the elimination of the "off-network" restriction of the Prime Time Access Rule.

KING TV is affiliated with the NBC network. As a television station, we support repeal of the "off-network" restriction. PTAR has long outlived any of the original purposes of its original intent. It impedes competition, allows access time periods to be programmed by a limited number of syndicators, and discourages program diversity. Because of the limited supply of "new" syndicated programming, prices are artificially high and subsidize large producers and major market independents.

The Commission has received numerous pleadings on this issue which fully address the subject. A Notice of Inquiry is not necessary and will only delay implementation of this much needed reform. I hope the Commission will act to eliminate this outmoded restriction.

Thank you for your consideration.

Sincerely,

Tony Twibell

ART/wmm

- cc: Commissioner James H. Quello
- Commissioner Andrew C. Barrett
- Commissioner Susan Ness
- Commissioner Rachelle B. Chong
- Office of the Secretary

Via FEDERAL EXPRESS

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942304
cc: MS

COSMOS BROADCASTING CORPORATION

Oct 6 1 02 PM '94

POST OFFICE BOX 789

GREENVILLE, SOUTH CAROLINA 29602

(803) 292-4370

October 5, 1994

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The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Chairman Hundt:

As the Commission reconsiders the need and effectiveness of the Prime Time Access Rule (PTAR), I would strongly urge you to move immediately to a Notice of Proposed Rule-making. Special interest lobbying for the Commission to issue a Notice of Inquiry instead of Proposed Rulemaking serves neither the industry nor public interest.

In my opinion, a NOI is totally inappropriate given the lengthy PTAR inquiries the Commission has conducted over the past several years. The data is there and it is clear. PTAR is another legislative fossil that has no place in today's competitive and free marketplace. Syndicators and independent stations are stronger than ever. Local stations should be able to freely select those programs they believe will be the most competitive and most attractive to their viewers.

The public is rightly frustrated by redundant government actions which result in a waste of elected officials time and taxpayer money. Another inquiry of PTAR would be the kind of action that adds to the frustration. Pages of information and analysis are available. Any further inquiry simply endorses a very transparent delaying tactic inspired by the major syndicators.

I ask for your support to insure that the Commission begins a rulemaking proceeding on PTAR at its October 20th agenda meeting.

Thank you for your understanding and support.

Sincerely,

James M. Keelor, President

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